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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,294	09/08/2003	Rolland Nicholas Steil	1482/328	9762

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EXAMINER	
WILLIAMS, ROSS A	

ART UNIT	PAPER NUMBER
3713	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/657,294	STEIL ET AL.	
	Examiner	Art Unit	
	Ross A. Williams	3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *9-8-2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *08 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4-13-05, 9-8-03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 7 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Vuong et al (US 2002/0147042 A1).

Regarding claims 1 and 20, Vuong discloses a system for managing and tracking gaming objects in a live casino game. The game objects all have unique values that when detected, are communicated to the game manager (Vuong page 1:par 10). Vuong discloses a table manager that comprises a reader driver interface that manages the local reader network. The interface reads the value of a radio frequency identification chip (RFID chip) embedded into a game object such as a playing card. The information concerning the value of the cards at the play positions are stored in system's memory (Vuong page 3:par 39).

Regarding claim 2, Vuong discloses that the reader driver interface comprises an antenna that transmits a radio frequency power signal to the RFID chip that is embedded in the playing card. The antenna also detects any RF signal that is in the vicinity of the reader driver interface (Vuong page 3:par 40).

Regarding claims 3 and 4, Vuong discloses that the reader driver interface is responsible for acquiring the value of the game object such as a card when the object is

positioned within detection range of the reader driver interface (Vuong page 3:par 39). Thus depending on if the cards are dealt in particular intervals or not, the reader driver interface will read the value of the cards at periodic or non-periodic times.

Regarding claims 5 - 7, Vuong discloses various attributes that are communicated and stored in relation to the RFID chips that are embedded into the playing objects. When a card is being read, information concerning the card's suit and value are transmitted under the Casino Application Value Number (CAVN) field. Each gaming object is given a unique serial number, which is stored under the field Vendor Issued Serial Number (VISN). Vuong also discloses that the attributes include information concerning the deck identification, due to the fact that the each card is uniquely numbered. Each uniquely numbered card belongs to a deck of cards, thus each card includes deck identification data (Vuong page 4:table 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong (US 2002/0147042 A1) as applied above and in view of Marnell, II et al. (US 5,332,219).

Regarding claim 8, Vuong discloses a card management system wherein the card attributes are determined by means of a RFID signal that is transmitted to the RFID chips, which are embedded in the cards, when the cards are detected with in the range of the reader driver interface (Vuong page 3:par 39). Vuong discloses that each card has card value attributes that are stored in the embedded RFID chips such as suit and rank. Vuong does not disclose that the card attributes further include bonus attributes. However, Marnell discloses an electronic poker game wherein the player is dealt a hand of cards. The system is able to deal bonus cards to a player. Instead of a card representing a queen of diamonds being displayed to the player, a card with a bonus queen of diamonds is displayed to the player. Thus Marnell discloses cards that have certain bonus attributes associated with them (Marnell 6:11 - 40).

One of ordinary skill in the art would be motivated to modify Vuong in view of Marnell et al. for the purpose of providing a card management/tracking system wherein the cards possess a bonus attribute that is read by the card reader. Vuong discloses that every card has unique attributes that are read by the reader driver interface when they are brought in the vicinity of the card reader. Cards that represent a bonus

condition would also have unique attributes in comparison to the other cards in the deck. One would be motivated to combine the Vuong with the teachings of Marnell because bonus cards that represent bonus conditions greatly enhance the entertainment value of playing a poker apparatus (Marnell 5:16 - 20).

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong (US 2002/0147042 A1) as applied above and in view of Walker (US 6,533,658).

Regarding claim 9, Vuong disclose storing various attributes relating to a card each time it is read by the reader driver interface. Vuong does not disclose storing a discard attribute that is associated with a card when the player discards it. Walker discloses an electronic amusement device that stores attributes relating to cards that are currently in play and not in play. Walker discloses a method that when a player discards a card, the status of the card will be updated to being marked as discarded, and the card will be removed from the display (Walker Figs 10, 11a, col 4:53-55).

One of ordinary skill in the art would be motivated to modify Vuong in view of Walker also include the storing of a discard attribute when the card is read by the reader driver interface. The motivation to do so would be that Vuong discloses that the storing of various attributes are advantageous to the tracking of playing cards and other gaming objects in play.

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong (US 2002/0147042 A1) in view of Marnell, II et al. (US 5,332,219) as applied above, and in view of Walker et al. (US 6,533,658) and further in view of Fujimoto et al. (US 2003/0064775).

Regarding claims 10 and 11, Vuong does not disclose verifying that the attributes of a discarded card in a playing position such as a discard rack correspond to a card that is marked in memory as discarded. Vuong also does not disclose issuing an alarm signal when the verification fails. Walker discloses an electronic amusement device that stores attributes relating to cards that are currently in play and not in play. Walker discloses a method that when a player discards a card that the status of the card will be updated to being marked as discarded, and the card will be removed from the display (Walker Figs 10, 11a, col 4:53-55). Fujimoto et al discloses a card game monitoring system that is used to monitor whether cards are lost, wrongly mixed into a different deck of cards or wrongly replaced during a card game (Fujimoto page 2:par 29). The cards are embedded with an identifying means that is read by means of wireless signals. The identifying means has card attributes and information recorded on it (Fujimoto page2: par 30). The game control device monitors the consistency of two pieces of information, one read at the start of the game and the seconded read during the game (Fujimoto page 3:par 36). If the two pieces of information reveal an inconsistency then notifying lamps are activated on the dealer side. Thus issuing an alarm signal to the dealer of this inconsistency (Fujimoto page 3:par 38). The system thus verifies that the dealt card is at the correct position during the duration of the game.

While this verification process that Fujimoto discloses is done for cards at different positions in the game, it would be obvious to provide a verification means for other position on the table such as the card discard rack.

One of ordinary skill in the art would be motivated to modify Vuong in view of Walker and in further view of Fujimoto to provide verification means that verifies that the cards with attributes marked as discarded actually match the attributes of discarded cards at a particular position such as a discard rack. This would provide an accurate accounting and monitoring of playing cards.

Claims 12, 13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong (US 2002/0147042 A1) as applied above and in view of Marnell, II et al. (US 5,332,219).

Regarding claims 12 and 16, Vuong discloses a card management system wherein the card attributes are determined by means of a RFID signal that is transmitted to the RFID chips, which are embedded in the cards, when the cards are detected within the range of the reader driver interface (Vuong page 3:par 39). Vuong discloses that each card has card value attributes that are stored in the embedded RFID chips such as suit and rank. Vuong does not disclose the system issuing a bonus signal if a bonus condition exists in the attributes of the cards read at the play position. Marnell discloses an electronic poker game wherein the player is dealt a hand of cards. The system is able to deal bonus cards to a player. Instead of a card representing a

queen of diamonds being displayed to the player, a card with a bonus queen of diamonds is displayed to the player. Thus Marnell discloses cards that have certain bonus attributes associated with them (Marnell 6:11 - 40). Marnell also discloses that a bonus signal is issued when a bonus condition exists in the attributes of the playing cards. Such as when a bonus card is displayed in any given hand of cards.

One of ordinary skill in the art would be motivated to modify Vuong in view of Marnell et al. for the purpose of providing a card management/tracking system wherein if a bonus condition exists in the attributes of the card a bonus signal is issued. Vuong discloses that every card has unique attributes that are read by the when they are brought in the vicinity of the card reader. Cards that represent a bonus condition would also have unique attributes in comparison to the other cards in the deck. One would be motivated to combine the Vuong with the teachings of Marnell because bonus cards that represent bonus conditions greatly enhance the entertainment value of playing a poker apparatus (Marnell 5:16 - 20).

Regarding claims 13, Vuong discloses a RFID card management system that can compare a dealer hand to a player's hand and then monitor the settling of payouts according to how much a player bet (Vuong page 6:par 77). Vuong also discloses that the RFID card management system is capable of playing poker. By the very nature of the game of poker a player tries to compose a hand of cards according to predetermined winning hands (such as a flush, full house etc). Vuong does not disclose that a bonus condition is issued based upon the hand of cards being a

predetermined combination of cards. Marnell discloses an electronic poker game wherein the game will issue a bonus game or payout in response to a player receiving a bonus card in a winning hand of cards (Marnell 7:27 - 44).

One of ordinary skill in the art would be motivated to modify Vuong in view of Marnell to provide a bonus condition that his based on a predetermined combination of cards. Bonuses conditions greatly enhance the entertainment value of playing a poker apparatus (Marnell 5:16 - 20).

Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong (US 2002/0147042) in view of Marnell (US 5,332,219) as applied above, and in further view of Singer (US 6,604,998).

Regarding claims 14 and 15, neither Vuong nor Marnell disclose a bonus condition based upon the sequence of the cards in a player's hand. Singer discloses poker game wherein a player will receive a bonus payout is arranged according to a predetermined sequence even if a player does not achieve winning hand combination (Singer 10:6-13).

One of ordinary skill in the art would motivated to modify Vuong in view of Marnell and further in view of Singer to provide a bonus condition that in not only dependent on a particular hand combination but also on what sequence the cards are in. This would provide the player with a bonus payout even if the player's hand combination were not a winning combination according to the standard rules of a game.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong (US 2002/0147042) in view of Stone (US 5,947,821).

Regarding claim 17, Vuong discloses a card management system wherein the card attributes are determined by means of a RFID signal that is transmitted to the RFID chips, which are embedded in the cards, when the cards are detected with in the range of the reader driver interface (Vuong page 3:par 39). Vuong discloses that the reader driver interface acquirers the value of each card every time a card is positioned in the detection range of the reader. Vuong also discloses that the RFID monitoring system is capable of detecting chips and their values (Vuong page 3:par 40). Thus, every time a player is dealt cards or places a wager, such as a first, second, or third card or wager, the value of the card or wager will be acquired. Vuong does not disclose that the system will read the value of a subsequent card in response to an additional wager. Stone discloses a poker game where a player is able to make an additional wager and in response to the additional wager receive an additional card (Stone Abstract). It is common in game of poker to enable a player to place additional wagers and in turn receive additional cards. By utilizing the teachings of Stone, every time a player places an additional wager, the wager will be read by the interface on the table. In response to the wager a player will receive additional cards that will also be read by the interface on the table.

One of ordinary skill in the art would be motivated to modify Vuong in view of Stone for the purpose of reading the attributes of a second card in response to placing an additional wager. This provides an accurate accounting of additional cards received

and also provides the player with an opportunity to increase the chances that his hand of cards will be a winning hand.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong (US 2002/0147042) in view of Stone (US 5,947,821) as applied above and in view of Dean et al (US 5,683,084).

Regarding claim 18, Vuong does not disclose a system that issues an alarm when the reading of the attributes pertaining to an additional wager is not permitted according to the rules of the casino game. Dean discloses a game system that includes sensors that detect when a player tries to place a late bet. If a player tries to place a late bet then the device will set off an alarm (Dean Columns 1 - 2).

One of ordinary skill in the art would be motivated to modify Vuong in view of Stone and in further view of Dean to provide an alarm mechanism that detects the placing of additional wagers if the rules do not permit additional wagers. This would provide a security mechanism to eliminate player cheating by trying to place late bets.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong (US 2002/0147042) in view of Stone (US 5,947,821) as applied above and in view of McCrea, Jr (US 6,093,103).

Regarding claim 19, Vuong does not disclose the issuing of an alarm when the reader driver interface detects additional cards at a play position. McCrea, Jr., however, teaches a live game monitoring system that utilizes card sensors that issue a signal for

each card received by a player. This signal for a certain card will be verified in the card monitoring system. If a player position receives a card without a game bet or receives a card out of sequence the system will issue an alarm (McCrea 3:59 - 67).

One of ordinary skill in the art would be motivated to modify Vuong in view of Stone and in further view of McCrea, Jr. to provide a live card monitoring system that will issue an alarm upon reading additional cards, wherein the reading of theses additional cards are not allowed as per the rules of the casino game. This would effectively detect a player trying to cheat at the game by substituting cards not originally dealt or receiving cards out of sequence.

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2005/0026682: Discloses a card identification system.

US 6,908,385: Discloses a game security system.

US 6,299,534: Discloses the tracking of game tokens.

US 5,651,548: Discloses the tracking of gaming chips.

US 5,735,742: Discloses the tracking of gaming chips.

US 5,831,527: Discloses a game table sensor alarm system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ross A. Williams whose telephone number is (571) 272-5911. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272-4467. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RAW
9-15-2005

JOHN M. HOTALING, II
PRIMARY EXAMINER